

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

KOSHER SPORTS, INC.,

Plaintiff,

v.

QUEENS BALLPARK COMPANY, LLC,

Defendant.

**CASE NO. 10-CV-2618 (JBW)(RLM)**

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil Procedure 56 and Local Civil Rule 56.1, Plaintiff Kosher Sports, Inc., by and through its attorneys, Boies, Schiller & Flexner LLP, and based upon the Memorandum of Law in Support of Plaintiff's Motion for Partial Summary Judgment, dated January 30, 2012, Plaintiff's Statement of Material Facts Pursuant to Local Rule 56.1, dated January 30, 2012, the Declaration of Nathan A. Holcomb with attached exhibits, dated January 30, 2012, and the Declaration of Jonathan Katz dated January 30, 2012, filed concurrently herewith, Plaintiff will move this Court before the Honorable Jack B. Weinstein at the United States Courthouse, 225 Cadman Plaza East, Brooklyn, New York 11201, on a date and at a time designated by the Court, for an Order pursuant to Federal Rule of Civil Procedure 56 granting partial summary judgment in Plaintiff's favor on its claim for breach of contract.

Dated: Armonk, New York  
January 30, 2012

BOIES, SCHILLER & FLEXNER LLP

By: /s/ Nathan Holcomb  
Edward Normand  
Jason Cyrulnik  
Nathan Holcomb  
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*Counsel for Plaintiff*